

Statement of
The Association of American Foreign Service Women
For the
Subcommittee on International Operations
Committee on Foreign Affairs
On
H.R. 3036
Presented by
Susan Donnelly, President of AAFSW
April 13, 1988

Mr. Chairman and members of the Subcommittee, I am Susan Donnelly, President of the Association of American Foreign Service Women (AAFSW). For almost thirty years AAFSW has served as an advocate for the concerns of Foreign Service women, and families either here or abroad, who are on the front lines of the American diplomatic mission. We appreciate this opportunity to testify on H.R. 3036. (Revision of Diplomatic Privileges and Immunities Act)"

We applaud the concern expressed by members of this subcommittee to address the issue of diplomatic rights and privileges which the United States extends to members of foreign missions resident in the United States. We support the testimony of the Chief of Protocol, Selwa Roosevelt and John Condayan, of the Office of Foreign Missions previously given before this committee. We also support the testimony given by Evangeline Monroe of the American Foreign Service Association. While they

are more able to address the issues of the total bill, our concern lies primarily with the possible impact some of the proposed changes in H. R. 3036 might have upon the lives of Foreign Service family members, and the consequences of deviating from the present agreements of the Vienna Convention on Diplomatic Relations and the Diplomatic Relations Act of 1978. In addition, we wish to present a realistic view of the nature of our lives overseas, and the importance of being provided not only the physical security but another type of security which is harder to define. And that security is the protection guaranteed by the current laws governing diplomatic rights and privileges. It is our hope that in your effort to enact laws which protect American citizens, one groups' rights are not jeopardized to compensate another.

We realize that abuses do occur among those persons holding diplomatic immunity. We do not condone such abuses. We support the measures outlined in the study and report concerning the status of individuals with diplomatic immunity in the United States compiled by the Department of State pursuant to the Foreign Relations Authorization Act (FY 1988-89).

The Association of American Foreign Service Women views the role of family representation abroad as vital to the interests of the United States. Despite the fact that family members of the five foreign affairs agencies are not paid employees of the United States Government, we see ourselves as unofficial representatives of the diversity of Americans lifestyles and values. In an increasingly hostile world, we accompany our employed spouses to nearly 300 American missions overseas. We sacrifice long term

career goals, endure prolonged absence from family members, subject ourselves to often inadequate health care, and expose ourselves to the security risks which have become all too common in our overseas missions during the 1980's.

There are a great many myths which circulate about the nature of our lifestyles abroad. The realities, while not as romantic, are lived each day by members of our communities. The realities of our lives at post are often conditioned by circumstances beyond our control. Three areas which have a direct effect upon our lives are the nature of the political systems in which we find ourselves, the cultural differences between members of the mission and host country nationals, and the legal systems in which we must operate in order to function.

The political environment found in many of our posts is often volatile. Participatory democracies are functioning rarities--most often we find ourselves in posts where mob violence, strikes, anti-American rhetoric and demonstrations are the norm. Add to this the threat of terrorism and the psychological impact of dealing with long term stress. Do we also have to deal with the uncertainties decreased diplomatic immunity would bring?

Many countries operate within a system of values, which is defined by the framework of their particular culture. Often these values indirectly affect the quality of life of Americans posted abroad in an official capacity. Sometimes cultural rules are broken because of inadequate knowledge or insensitivity. In some instances, there are legal ramifications due to these offenses. If there were reciprocal actions taken against Americans abroad

due to a change in the status of diplomatic immunity, what type of security would diplomats and their families have to protect themselves against culturally defined lawbreaking?

Finally, consideration should be given to the fact that members of American diplomatic missions function within a variety of legal systems which do not operate under a "system of laws" as we know it. In many parts of the world, jails do not have facilities to adequately house lawbreakers. They do not serve food, have running water and other sanitary amenities, and they afford limited access for communication with detainees or prisoners.

While we recognize that diplomatic immunity was designed to protect the Foreign Service employee, the extension of immunity to family members was brought about by a realization that effective employee job performance relied heavily upon the protection of the employee's family members. This extension of immunity has allowed family members to accompany employed spouses to post. This has resulted in the establishment of overseas American schools, and for the interaction between American families and host country families in religious, sport, and social/cultural settings. This interaction increases understanding and furthers the interests of the U.S. government. If this interaction were put in jeopardy by changing the nature of immunity, the quality of life for the family living overseas would be changed, and the barriers erected for security would grow to include barriers of cultural interaction. Our lives overseas would be restricted to living in walled compounds, to traveling only in groups, and finally to little personal contact between family members and host country

nationals except on the Embassy/Consulate compound. This style of interaction would not mirror our American values or support our interests. In fact, many families would choose not to accompany the employee to post, thus creating a whole new set of problems and a skewed representation of American life.

We are aware that this legislation does not specifically take away diplomatic immunity from U. S. government employees and their families. Our concern lies in the area of reciprocity or even malicious abuse by a host country unsympathetic to American policy. We therefore ask you to consider carefully the reciprocal nature of this proposed legislation upon the lives of our official American diplomatic family serving abroad.

We, as members of our official American family abroad, take great pride in representing the United States. We hope that we can count on your support to make our representation a worthy reflection of our American way of life.